

Internal Revenue Service

memorandum

CC:TL-N-943-92

FS:CORP:GBFleming

date: DEC 16 1991

to: District Counsel, Seattle W:SEA
Attention: Robert Geraghty

from: Assistant Chief Counsel (Field Service) CC:FS

subject: [REDACTED]

This responds to your memorandum dated October 25, 1991, requesting advice regarding whether to assert alternative minimum tax (AMT) with respect to [REDACTED] in this case. Your memorandum states that the notice of deficiency did not assert AMT against [REDACTED] and that we have filed in the Tax Court a notice of concession on the so-called "spring-back" issue.

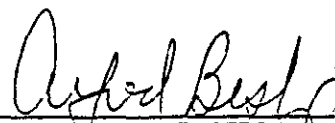
In response to a request by District Counsel, Anchorage, we have been considering whether AMT should be asserted with respect to Alaska Native Corporations (ANCs). Although a determination to assert AMT against ANCs would theoretically apply to [REDACTED], we understand that you decided not to raise that issue in this case in light of the previously filed notice of concession with respect to the "spring-back" issue. In accordance with that decision, you recently forwarded to the National Office an appropriate motion for entry of a [REDACTED] deficiency decision by the Tax Court.

Although procedural considerations prompted you not to assert AMT in this case, we note that, in coordination with the Assistant Chief Counsel (Corporate), it has been determined that AMT should generally be asserted against ANCs. For your information, we are attaching a copy of a memorandum dated December 13, 1991, from the Corporate Division discussing the questions raised by Anchorage District Counsel concerning the AMT issue.

009503

Please contact Jerry Fleming at FTS 566-3335 if there are any questions.

DANIEL J. WILES
Assistant Chief Counsel
(Field Service)

By: 
ALFRED C. BISHOP, JR.
Chief, Corporate Branch
Field Service Division

Attachment:
As stated.

cc: Ms. Gross
Mr. Sanchez

This document may include confidential information subject to the attorney-client and deliberative process privileges, and may also have been prepared in anticipation of litigation. This document should not be disclosed to anyone outside the IRS, including the taxpayer(s) involved, and its use within the IRS should be limited to those with a need to review the document in relation to the subject matter or case discussed herein.